Remarks

Claim 1 is amended to include the feature of the specific surface as disclosed in claim 4, which was a change that was to have occurred in the Amendmcnt of May 1, 2002. Claim 4 was deleted in the Amendment of May 1, 2002.. Amended claim 1 now recites:

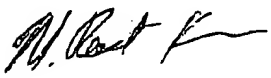
"A composition for stomatic applications characterized in that it comprises particles of hydroxyapatite with an average particle size in length (l), width (d) and thickness (h) of: l from about 0.2 μm to about 0.01 μm, d from about 0.1 μm to about 0.0001 μm, and h from about 0.1 μm to about 0.0001 μm with the particles of hydroxyapatite having a specific surface of hydroxyapatite from 100 m^2/g to 150 m^2/g. In reviewing the claims, Applicant found that typographical errors were made, which have been corrected in this Amendment.

In order to overcome the Examiner's objections concerning the specification, set forth in paragraph 2, page 2 of the Office Action mailed June 24, 2002, Applicant amends the specification to include reference to document WO 98/18719 (of the same inventor as the present application). Pages 1-3a of WO 98/18719 describe a method for producing such a suspension of hydroxyapatite as referred to in the present application. We respectfully believe this addition to the specification satisfies the Examiner's objection to describe a method for producing a suspension of hydroxyapatite.

A three-month extension of time in which to response to the outstanding Office Action is hereby requested. PTO-2038 authorizing credit card payment for the amount of $460 is enclosed for the prescribed Small Entity three-month extension fee. Any other fee due by virtue of this filing or this application should be charged to Deposit Account 11-0665. Any refunds in connection with this filing should be credited to Deposit Account 11-0665. A duplicate of this page is enclosed for this purpose.

Wherefore, further consideration and allowance of the claims in this application is respectfully requested.

Respectfully submitted,



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I hereby certify this correspondence is being submitted to Commissioner for Patents, Washington, D.C. 20231 by facsimile transmission on September 28, 2002, fax number (703) 305-4544.

M. Robert Kestenbaum

"Version with Markings to show Changes Made"

1. (Amended three times) A stomatic composition characterised in that it comprises particles of hydroxyapatite with an average particle size in length (1), width (d) and thickness (h) of: (l) from about 0.2 μm to about 0.01 μm, (d) from about 0.1 μm to about 0.001 μm, and (h) from about 0.1 μm to about 0.0001 μm with the particles of hydroxyapatite having a specific surface of hydroxyapatite from 100 m^2/g to 150 m^2/g.

2. (Amended twice) The stomatic composition according to claim 1 characterised in that it comprises particles of hydroxyapatite with an average particle size in length (l), width (d) and thickness (h) of about (1) = 0.06 μm +/- 50%, (d) = 0.015 μm +/- 50% and (h) = 0.005 μm +/- 50%.

3. (Amended twice) The stomatic composition according to claim 1 characterised in that it comprises particles of hydroxyapatite with an average particle size in length (l), width (d) and thickness (h) of about (1) = 0.06 μm, (d) = 0.015 μm, (h) = 0.005 μm.

Claim 4 was cancelled in the last Amendment submitted on May 1, 2002.

5. The stomatic composition according to claim 1 characterized in that it comprises said hydroxyapatite particles ultra finely divided.

6. The composition according to claim 1 characterised in that the ultra finely divided hydroxyapatite particles are present in the composition in an amount of 0.1% to 50% by weight.

7. The composition according to claim 1 characterised in that the ultra finely, divided hydroxyapatite is a synthetic hydroxyapatite which contains 99.9% of $Ca_{10}(PQ_4)_6(OH)_2$ by weight.

8. The composition according to claim 1 further characterised by at least one substance of the group consisting of

- humectants in a range from about 0% to 85% by weight,
- bindings and thickeners in a range of 0% to 10% by weight,
- abrasive materials in a range from 0.0% to 25%,
- Surfactants in a range from 0% to 5% by weight,
- Flavours in a range from 0% to 5% by weight.

9. The composition according to claim 1 further characterised by agents enhancing the gingivitis system of the mouth cavity and comprising extracts of natural plants including at least one of the group consisting of urtica, millefolium, chamomilla hypericum, salvia, etc. in the aqueous and in the aqueous-alcoholic form.

10. The composition according to claim 1 further characterised by effective amounts of anti-microbial and anti-plaque agents.

11. (Amended) A stomatic composition comprising particles of hydroxyapatite with an average particle size in length (l), width (d) and thickness (h) of: (l) from about 0.2 μm to about 0.01 μm, (d) from about 0.1 μm to about 0.001 μm, and (h) from about 0.1 μm to about 0.0001 μm, and effective amounts of gingivitis systems of the mouth cavity comprising extracts of natural plants including at least one of the group consisting of urtica, millefolium, chamomilla hypericum, and salvia, in an aqueous or an aqueous-alcoholic form.